

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

JAMES NOTTINGHAM,

Case No. 6:21-cv-01420-HZ

Plaintiff,

ORDER

v.

PATRICK ALLEN,

Defendant.

HERNANDEZ, District Judge.

On November 29, 2021, Plaintiff in this prisoner civil rights case filed a Motion seeking both a temporary restraining order and a preliminary injunction. He asks that the Court issue an order requiring the Oregon State Hospital to immediately admit him for evaluation and treatment. Plaintiff has not, however, served a copy of his Motion on Defendant as required by Fed. R. Civ. P. 5(a), nor does his Motion contain a certificate of service required by Fed. R. Civ. P. 5(d)(1).

Although the Court may issue a temporary restraining order without notice to an adverse party, it can only do so if the

applicant "certifies in writing any efforts made to give notice and the reasons why it should not be required." Fed. R. Civ. P. 65(b)(1)(B). Plaintiff has not provided the Court with any certification of this nature. Accordingly, his Motion is denied.

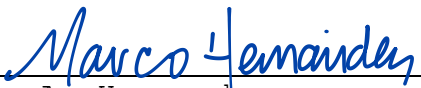
CONCLUSION

Plaintiff's Motion for Temporary Restraining Order and Preliminary Injunction (#15) is denied, without prejudice.

IT IS SO ORDERED.

December 9, 2021

DATE



Marco A. Hernandez
United States District Judge